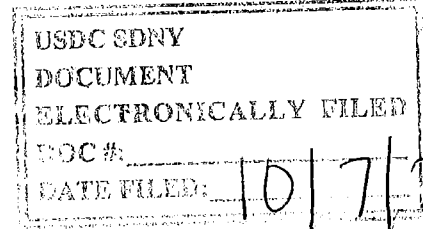


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
BYRON SMITH,
Plaintiff,

v.

LAW OFFICE OF RICHARD ST. PAUL, ESQ.,
PLLC,
Defendant.
-----X

ORDER

22 CV 5648 (VB)

Plaintiff commenced the instant action on July 1, 2022. (Doc. #1).

On September 15, 2022, plaintiff docketed an affidavit of service indicating service on defendant Law Office of Richard St. Paul, Esq., PLLC, on September 12, 2022. (Doc. #8). Accordingly, defendant had until October 3, 2022, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, defendant has not answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendant remains in default, plaintiff is ORDERED to seek a certificate of default by **October 14, 2022**, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant by **October 28, 2022**. **If plaintiff fails to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: October 7, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti".

Vincent L. Briccetti
United States District Judge